

Mellinger, Sanders & Kartzman, LLC

ATTORNEYS AT LAW

101 GIBRALTAR DRIVE
SUITE 2F
MORRIS PLAINS, N.J. 07950

(973) 267-0220

FAX (973) 267-3979

www.msklawyers.com

E-MAIL SKARTZMAN@MSKLAW.NET
JZAPATA@MSKLAW.NET
JLOEWENSTEIN@MSKLAW.NET

Essex County Office
46 Essex Street
Millburn, N.J. 07041
(973) 218-0220

**PLEASE RESPOND TO:
MORRIS PLAINS**

LOUIS P. MELLINGER
MICHAEL S. SANDERS
STEVEN P. KARTZMAN
JOSEPH R. ZAPATA, JR.
JUDAH B. LOEWENSTEIN
SEYMOUR RUDENSTEIN (1933-1983)
JACOB MELLINGER (1928-2001)

OF COUNSEL
WALTER G. LUGER
PETER ROSEN
ROBERT D. ROSEN
TERRI JANE FREEDMAN
JOSÉ R. TORRES

June 28, 2018

VIA ECF AND EMAIL

Honorable Stacey L. Meisel
United States Bankruptcy Court
Martin Luther King, Jr. Federal Bldg.
50 Walnut Street, 3rd Floor
Newark, New Jersey 07102

**Re: Joseph T. Guarracino and Yvette L. Guarracino
Case No. 14-30441-SLM**

Dear Judge Meisel:

Kindly accept this letter in response to the Letter Memorandum in Partial Objection to this firm's fee application (Dkt 187) filed by Alliance Shippers.

As reflected by the Court's Docket, this firm has filed at least 6 motions in this case and responded to at least 3 motions by Alliance Shippers opposing the actions proposed by the Trustee. Additionally, we negotiated resolution of at least 5 issues with parties to the bankruptcy case.

As the Court will recall, one of the motions involved the not uncomplicated and a fairly novel legal issue of ownership of assets held by a debtor, as a result of ownership of a dissolved corporation. Alliance Shippers is remiss in not conceding that the Court authorized a Public Sale of both of the Debtor's trucks on February 16, 2016, and reserved decision on Alliance's Motion for Reconsideration thereafter on March 22, 2016. It was not until April 12, 2017 that the Court granted partial reconsideration as to the 1999 International Box Truck sold at auction for \$2500, but not as to 2005 Mitsubishi truck sold at the same auction.

Despite the meager amount at issue and attempts to resolve same by this firm, Alliance continued to battle until a settlement for \$600 to be paid to Alliance was reached at a hearing on January 9, 2018. Even that settlement then evoked opposition to the Trustee's form of Order.

In connection with the attempt to resolve the form of that Order, this firm filed at Dkt 183 a letter which, inter alia, informed the Court and Alliance, that the Estate would be left with \$19,814.95, after paying Alliance and the Division of Tax a portion of the truck sale proceeds, with which to satisfy this firm's fees and a trustee commission. This firm's fee application is in the amount of \$34,435, and trustee commission computes to \$4088.

Thus, the firm's fees would have to be reduced by \$18,708 or over 50% before Alliance's objection has an impact. Although this reality was pointed out to Alliance's counsel, the objection has not been withdrawn. Accordingly, we request denial of the objection and entry of the proposed Order.

Respectfully submitted,

/s/ Steven P. Kartzman

STEVEN P. KARTZMAN

SPK/cw